



September 19, 2003

Joan Senecal
Department of Aging and Disability
103 South Main Street
Waterbury, VT 05671-2301

Re: Comments on Department of Aging and Disability's Draft Proposal for an 1115 Waiver

Dear Joan:

Please accept these comments for the record on behalf of AARP Vermont. Last year AARP conducted a consumer survey of our Vermont membership on long-term care and it's clear from the results that Vermonters want more options for care in their home and community. AARP strongly supports the Department's efforts to offer more home and community based care options for Vermont consumers and the proposed 1115 waiver is a creative and immediate option for doing this.

Ongoing Public Input and Oversight of Waiver

AARP recommends that there be several opportunities for public input and oversight of the 1115 waiver during the negotiations, implementation and life of the waiver. Public input and oversight are crucial components in the ongoing development of a long-term care system in Vermont that meets consumer needs.

We fully support the Department's ongoing efforts to have informal working groups and ad hoc public meetings as a means of engaging the public. AARP recommends that the 1115 waiver include a provision to use the Health Access Oversight Committee and the Department of Aging and Disabilities Advisory Board as formal means of providing oversight of the waiver and continuing opportunities for public input during the life of the waiver.

The Department completely agrees with the above comments. There will be many opportunities for on-going and comprehensive involvement in the planning and implementation of the proposal. The Department's Advisory Board, which meets monthly, will be the primary oversight body, and we are certain the legislature will exercise close oversight of the effort.

In addition, we recommend that the Department promulgate administrative regulations under the Vermont Administrative Procedure Act (Title 3, Chapter 25) for the overall 1115 waiver and not just for provisions related to changes in Medicaid. The proposed

1115 waiver that the Department intends to submit still has many details that are undetermined. The administrative rulemaking process for the 1115 waiver will provide consumers with the necessary details into the implementation and operation of the waiver, as well as changes being made to Vermont laws, and provide the public an appropriate opportunity to respond and comment.

The first meeting of the work group addressing the development of regulations is scheduled for November 18 from 1-4 p.m. in the Appalachian Gap Room, Cyprian Learning Center, Waterbury Office Complex. This is a public meeting. .

Increased Resources for the Ombudsman Program

AARP supports the expansion of the Ombudsman program to all services provided under the proposed 1115 waiver. The expansion of the program, however, must include adequate increases in financial and staffing resources to support this proposed increase in responsibilities and duties.

The Department intends to target additional resources to the Ombudsman Program to expand the program to home-based services.

Cash and Counseling Pilot

AARP supports the development of the “cash counseling” pilot and encourages the Department to implement the pilot in two counties in order to adequately test efficacy.

A work group has begun to meet to develop this option.

Developing Community Infrastructure

Vermont faces community infrastructure challenges, such as inadequate public transportation and a lack of available low-cost housing, which may make it difficult or impossible for seniors to transition from a hospital or nursing home into an appropriate home setting. This is particularly true in key areas of the state. The proposed 1115 waiver does not address this issue.

AARP recommends that the proposed 1115 waiver incorporate a system or structure for addressing some of these issues as part of the Demonstration. We recommend that the Department review all potential options for easing the housing and transportation burdens on lower income seniors that are eligible for home and community-based care under the Demonstration. For example, can the increased asset limit be used to help cover housing costs? Or maybe a limited number of section 8 housing slots be made available to Demonstration participants as a priority?

AARP also recommends that the 1115 waiver make it clear who is responsible for developing an individual plan that includes access to affordable, accessible and appropriate housing and transportation services.

While the 1115 proposal cannot address housing and transportation concerns in a significant way, the Department is deeply and constructively engaged with transportation providers and housing providers. We have had significant success focusing those systems on the needs of elders and adults with disabilities and expect this progress will only grow.

The individual's case manager is responsible for developing a plan that addresses housing and transportation needs, as well as other psychosocial and medical needs.

Cost Sharing

The proposed 1115 waiver includes new co-payments of between \$50-100 a month for Demonstration services, but does not give adequate details as to how these new increases will be imposed or what will happen if a low-income senior or disabled person is unable to pay a larger portion of their care costs. AARP recommends that the Department include more details in the proposed 1115 waiver on the terms and conditions of these new co-payments.

The Department acknowledges we need to develop more of the details for this cost sharing proposal.

Thank you for the opportunity to comment.

Sincerely,

Philene Taormina
Director of Advocacy